

Message Text

CONFIDENTIAL

PAGE 01 ACCRA 04959 291053Z
ACTION AF-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 INR-07 NSAE-00
PA-01 USIA-06 PRS-01 SP-02 /028 W
-----123664 291210Z /53
R 290818Z JUN 77
FM AMEMBASSY ACCRA
TO SECSTATE WASHDC 8841

C O N F I D E N T I A L ACCRA 4959

E.O. 11652: GDS
TAGS: PINS, PINT, PGOV, GH
SUBJECT: GOG EXPLAINS RETIREMENT OF CHIEF JUSTICE

REF: (A) ACCRA 4603; (B) ACCRA 4664

1. GOG ISSUED JUNE 27 LENGTHY DEFENSE OF ITS RECENT ACTION IN RETIRING CHIEF JUSTICE SAMUEL AZU CRABBE IN RESPONSE TO ALLEGED RUMORS "THAT THE RECENT RETIREMENT OF CHIEF JUSTICE S. AZU CRABBE WAS MOTIVATED BY REASONS OTHER THAN THE PUBLIC INTEREST."

2. STATEMENT REFERS TO REMOVAL IN 1972 OF PREVIOUS CJ E.A. L. BANNERMAN, ORIGINALLY APPOINTED BY BUSIA REGIME, CLAIMING THIS REMOVAL MET DEMANDS OF BAR WHO COMPLAINED HIS ORIGINAL APPOINTMENT HAD BEEN POLITICAL AND HE WAS NOT GETTING COOPERATION OF BAR. AZU CRABBE AS MOST SENIOR JUSTICE OF APPEAL WAS THEREUPON NAMED CJ.

3. STATEMENT CLAIMS THAT SHORTLY THEREAFTER GOG "BEGAN TO RECEIVE COMPLAINTS AND REPRESENTATIONS THAT HIS ADMINISTRATION WAS WHOLLY INEFFECTIVE" AND THT HE WAS NEGLECTING JUDICIAL DUTIES. STATEMENT ADDS THAT FORMAL MOTION OF NO CONFIDENCE IN CJ WAS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ACCRA 04959 291053Z

MOVED AND SECONDED AT SEPTEMBER 1976 KUMASI ANNUAL BAR ASSOCIATION CONFERENCE BUT NOT VOTED ON TO AVOID EMBARRASSMENT IN PRESENCE OF FOREIGN DIGNITARIES GATHERED FOR SUPREME COURT CENTENARY CELEBRATIONS.

5. COMMENT: STATEMENT WAS CLEARLY AIMED AT BAR ASSOCIATION WHICH HAS BEEN AMONG GOG'S MOST PERSISTENT

CRITICS. ACCRA BAR ASSOCIATION BRANCH IN RECENT STRIKE ACTION CITED DISMISSAL OF CJ AS WELL AS BANK OF GHANA GOVERNOR NIKOI AS GRIEVANCE (REFTEL B). STATEMENT THUS WINDS UP WITH CALL ON BAR ASSOCIATION "TO COOPERATE AS BEFORE IN THE SMOOTH ADMINISTRATION OF JUSTICE. THE GOVERNMENT BELIEVES THE ASSOCIATION WOULD NOT WISH TO PLAY POLITICS WITH AN IMPORTANT INSTITUTION OF THE STATE, NAMELY THE UDICIARY."

6. GOG'S ORIGINAL MOTIVE IN REMOVING AZU CRABBE WAS WIDELY ASSUMED TO BE THE FAILURE OF HIS ATTEMPT (TOGETHER WITH ASANTEHENE) TO MEDIATE EARLIER STUDENT STRIKE AND HIS MENTION IN STUDENT MANIFESTO AS NOMINEE TO HEAD INTERIM GOVERNMENT AFTER REMOVAL OF ACHEAMPONG (REFTEL A). (STUDENT GROUP HAS SINCE CLAIMED THIS WAS FALSE INTERPRETATION AND THAT NOMINATION WAS FOR POSITION NOT MAN.) WE HAVE HEARD BEFORE THAT AZU CRABBE, HOWEVER CHARMING, IS REGARDED BY MANY OF HIS COLLEAGUES AND LAWYERS AS LAZY. HIS REPLACEMENT BY THE WELL-REGARDED APALOO, THEREFORE, HAD IT OCCURRED UNDER OTHER CIRCUMSTANCES, WOULD PROBABLY HAVE BEEN WELCOMED BY MANY IN THE EGAL PROFESSION, THERE APPEARS TO BE GENUINE RESENTMENT, HOWEVER, OVER THE TIMING AND THE BRUTAL WAY AZU CRABBE WAS DISMISSED (HE LEARNED OF IT THROUGH THE MEDIA). IT REMAINS TO BE SEEN WHETHER THE ABOVE GOG
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ACCRA 04959 291053Z

CLARIFICATION, WHICH BLACKEN S FURTHER AZU CRABBE'S REPUTATION, WILL SERVE TO MOLLIFY PUBLIC CRITICISM OF THE GOVERNMENT OR INFLAME IT. AT THE MOMENT, WE INCLINE TOWARD THE LATTER.
SMITH

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RETIREMENT, PRESS RELEASES, ALLEGATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 29-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ACCRA04959
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770232-0006
Format: TEL
From: ACCRA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t1977069/aaaaahmv.tel
Line Count: 99
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 62a1b784-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 ACCRA 4603, 77 ACCRA 4664
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2274393
Secure: OPEN
Status: NATIVE
Subject: GOG EXPLAINS RETIREMENT OF CHIEF JUSTICE
TAGS: PINS, PINT, PGOV, GH, (CRABBE, SAMUEL AZU)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/62a1b784-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009